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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

| | | |
|---------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 10-0469 CW |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND [PROPOSED] |
| v. |) | ORDER CONTINUING THE HEARING |
| |) | SET FOR SEPTEMBER 2, 2010, TO |
| ANTOINE NICHOLAS MOORE, |) | SEPTEMBER 9, 2010, AND EXCLUDING |
| |) | TIME UNDER THE SPEEDY TRIAL ACT |
| Defendant. |) | |

Defendant Antoine Moore is scheduled to appear on the above-entitled case before the Hon. Laurel Beeler on Thursday, September 2, 2010, for status. As the Court will not be available on that date, the parties respectfully request that this court: (1) continue the hearing scheduled for September 2, 2010, to September 9, 2010, at 9:30 a.m. before the Hon. Laurel Beeler, and (2) exclude the time from September 2, 2010, to September 9, 2010, from the Speedy Trial Act calculation pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B) for effective preparation of counsel. Counsel for the defendant continues to review discovery and additional research in this case.

As such, the parties stipulate, and request that the Court find and hold as follows:

1. That the hearing scheduled for Thursday, September 2, 2010, in the above-entitled

1 case, be continued to Thursday, September 9, 2010, at 9:30 a.m. before the Hon. Laurel Beeler.

2 2. Given the circumstances, the ends of justice served by excluding the period from
3 September 2, 2010, to September 9, 2010, from Speedy Trial Act calculations outweighs the
4 interests of the public and the defendant to a speedy trial by allowing time for the defense to
5 effectively prepare the case, in accordance with 18 U.S.C. § 3161(h)(7)(A) and (B).

6 3. Accordingly, with the consent of both parties, the Court orders that the period
7 from September 2, 2010, to September 9, 2010, be excluded from Speedy Trial Act calculations,
8 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B).

9 STIPULATED:

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11 DATED: August 26, 2010

/s/

COLLEEN MARTIN
Attorney for Defendant Antoine Moore

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14 DATED: August 26, 2010

/s/

TREVOR L. RUSIN
Special Assistant United States Attorney

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16 IT IS SO ORDERED.

17 DATED: 8/27/2010



HON. LAUREL BEELER
United States Magistrate Judge